OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 445

Rejection for nomenclatorial purposes of the work by Eberhard (J.P.) entitled *Versuch eines neuen Entwurfs der Thiergeschichte* published in 1768

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 445

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(*Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*)

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Professor Enrico TORTONESE (*Museo di Storia Naturale " G. Doria ", Genova, Italy*), (16th December 1954)

OPINION 445

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE WORK BY EBERHARD (J.P.) ENTITLED " VERSUCH EINES NEUEN ENTWURFS DER THIERGESCHICHTE " PUBLISHED IN 1768

RULING :—(1) The work by Eberhard (J.P.) published in 1768 under the title *Versuch eines neuen Entwurfs der Thiergeschichte* is hereby rejected for nomenclatorial purposes as being a work in which the author did not apply the principles of binominal nomenclature.

(2) The title of the work specified in (1) above is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* with the Title Number 51.

(3) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Number 848 : *Cebus* Eberhard (J.P.), 1768 (a name published in a work rejected for nomenclatorial purposes under (1) above).

I. THE STATEMENT OF THE CASE

Following correspondence with the Secretary on the question of the original reference for the generic name *Cebus* which had been placed on the *Official List of Generic Names in Zoology* in the period prior to the close of 1936, Dr. T. C. S. Morrison-Scott (*British Museum* (*Natural History*), *London*) on 20th

December 1954 submitted the following application to the International Commission on Zoological Nomenclature for the rejection for nomenclatorial purposes of the work by Eberhard (J.P.) published in 1768 under the title *Versuch eines neuen Entwurfs der Thiergeschichte* :—

Proposed rejection for nomenclatorial purposes of Eberhard (J.P.), 1768, " Versuch eines neuen Entwurfs der Thiergeschichte "

By T. C. S. MORRISON-SCOTT, D.S.C., M.A., D.Sc.
(*British Museum* (*Natural History*), *London*)

The purpose of the present application is to ask the International Commission to give a ruling rejecting for nomenclatorial purposes the work by Eberhard (J.P.) published in 1768 under the title *Versuch eines neuen Entwurfs der Thiergeschichte*. The facts are set out briefly below.

2. Not long ago Mr. Hemming informed me that, in the course of preparing the *Official List of Generic Names in Zoology* for publication in book form, he had noted that the name *Cebus* Erxleben, 1777, which had been placed on the *Official List* in the Commission's *Opinion* 91 was treated by Palmer (1904 : 166) as a junior homonym of *Cebus* Eberhard, 1768 (: 20). Mr. Hemming asked me if I would examine Eberhard's *Versuch* and advise the Commission whether in it Eberhard had applied the principles of binominal nomenclature and therefore whether the name *Cebus* Eberhard was an available name.

3. Eberhard's *Versuch* is an obscure book of great rarity of which there is no copy in the library of the British Museum (Natural History). There is however a copy in the main library of the British Museum at Bloomsbury. This I have now examined. I find that in this work Eberhard adopted a typically non-binominal nomenclature of the kind formerly known as " binary ", his nomenclature being similar to that used, for example, by Frisch in his *Natur-System* of 1777, which has already been rejected by the Commission in its *Opinion* 258 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 5 : 245—252). It is clearly necessary, in order to clear the position of *Cebus* Erxleben on the *Official List*, that the Commission should now give a Ruling rejecting Eberhard's *Versuch*, but, quite apart from this special reason, I would advocate the same course, for in the interests of nomenclatorial stability it is very important that these old non-binominal works should be

finally interred and that by this means an end put to the risk that later authors may bring forward other invalid names from them.

4. I accordingly recommend that the International Commission should :—

(1) reject for nomenclatorial purposes the work by Eberhard (J.P.) published in 1768 under the title *Versuch eines neuen Entwurfs der Thiergeschichte*, as being a work in which the author did not apply the principles of binominal nomenclature ;

(2) place the title of the foregoing work, as rejected in (1) above, on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* ;

(3) place the under-mentioned generic name on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—*Cebus* Eberhard, 1768 (a name published in a work rejected for nomenclatorial purposes).

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Dr. Morrison-Scott's preliminary communication relating to the generic name *Cebus*, the question of the rejection for nomenclatorial purposes of the work by Eberhard published in 1768 under the title *Versuch eines neuen Entwurfs der Thiergeschichte* was allotted the Registered Number Z.N.(S.) 721.

3. Publication of the present application : The present application was sent to the printer on 31st December 1954 and was published on 28th February 1955 in Part 3 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Morrison-Scott, 1955, *Bull. zool. Nomencl.* **11** : 95—96).

4. No objection received : No objection to the action proposed in this case was received from any source.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

5. Issue of Voting Paper V.P.(55)26 : On 9th November 1955 a Voting Paper (V.P.(55)26) was issued in which the Members of the Commission were invited to vote either for, or against, " the proposal for the rejection for nomenclatorial purposes of Eberhard's *Versuch* of 1768, as set out in Points (1) to (3) in paragraph 4 on page 95 and the top of page 96 of Volume 11 of the *Bulletin of Zoological Nomenclature* " [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

6. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 9th February 1956.

7. Particulars of the Voting on Voting Paper V.P.(55)26 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(55)26 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-five* (25) *Commissioners* (*arranged in the order in which Votes were received*) :

Holthuis ; Hering ; Vokes ; Bodenheimer ; Bradley (J.C.) ; Mayr ; Riley ; Dymond ; Jaczewski ; Prantl ; Lemche ; Esaki ; Mertens ; do Amaral ; Hankó ; Key ; Boschma ; Sylvester-Bradley ; Cabrera ; Stoll ; Bonnet ; Miller ; Tortonese ; Kühnelt ; Hemming ;

(b) *Negative Votes* :

None ;

(c) *Voting Papers not returned* :

None.

8. Declaration of Result of Vote : On 10th February 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P. (55)26, signed a Certificate that the Votes cast were as set out in paragraph 7 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

9. Preparation of the Ruling given in the present " Opinion " : On 9th November 1956, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(55)26.

10. Original Reference : The following is the original reference for a name placed on an *Official Index* by the Ruling given in the present *Opinion* :—

Cebus Eberhard (J.P.), 1768, *Versuch neuen Entwurfs Thiergesch.* : 20

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission

by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion* Four Hundred and Forty-Five (445) of the International Commission on Zoological Nomenclature.

DONE in London, this Ninth day of November, Nineteen Hundred and Fifty-Six.

Secretary to the International Commission
on Zoological Nomenclature

FRANCIS HEMMING

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